

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS
WAS HELD JULY 21, 1998 AT 1:30 P.M. IN WARRENTON, VIRGINIA

P R E S E N T Mr. David C. Mangum, Chairman; Mr. Larry L. Weeks, Vice
Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr.
James A. Rankin; Mr. G. Robert Lee, County Administrator; Mr.
Paul S. McCulla, County Attorney

MEMORANDUM OF UNDERSTANDING BETWEEN FAUQUIER COUNTY AND THE
JOHN MARSHALL SOIL AND WATER CONSERVATION DISTRICT

A work session was held to discuss the details of a proposed Memorandum
of Understanding between Fauquier County and the John Marshall Soil and Water
Conservation District.

LEASE FINANCING INFORMATION - CRAIGIE, INC.

A work session was held to acquaint the Board of Supervisors with lease
financing concepts.

FY 1998 TECHNOLOGY PLAN UPDATE - ROY BURROW

A work session was held to review an update of the FY 1998 Technology
Plan.

YEAR 2000 UPDATE - ROY BURROW

A work session was held to receive information on the processes and
procedures for the Year 2000 update.

ECONOMIC DEVELOPMENT MARKETING THEME - GEDDINGS COMMUNICATIONS

A work session was held to review the Vint Hill Economic Development
Authority's plan to develop an economic development marketing strategy for
Fauquier County.

FAUQUIER COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY - SUPPORT,
RECOMMENDATIONS AND COMMENTS REGARDING PROPOSED ECONOMIC
DEVELOPMENT CONSOLIDATION WITH THE TOWN OF WARRENTON

A work session was held to review the comments of the Industrial
Development Authority regarding the proposed economic development
consolidation with the Town of Warrenton.

EXECUTIVE SESSION

Mr. Mangum moved to go into executive session pursuant to Virginia Code
Section 2.1-344(A)(1) for discussion or consideration of personnel matters and
Section 2.1-344(A)(7) for consultation with legal counsel pertaining to litigation.
Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

Upon reconvening from executive session, Mr. Green moved to adopt the following certification. Mr. Rankin seconded.

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 21st day of July 1998, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Absent During Meeting: None

The meeting was reconvened in Regular Session at 6:30 p.m. in the Auditorium at Warrenton Middle School.

ADOPTION OF THE AGENDA

Mr. Weeks moved to adopt the agenda subject to adding Appointment to the Capital Improvements Program Committee and A Resolution to Appropriate Funds for FY 1998 to the Agenda for consideration. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

CERTIFICATES OF APPRECIATION - RADIO COMMUNICATIONS STUDY COMMITTEE

Mr. Weeks and Mr. Rankin presented certifications of appreciation and paperweights to each member of the Radio Communications Study Committee.

PRESENTATION OF THE LOCAL NEEDS ASSESSMENT SUMMARY REPORT AND
THE COMMONWEALTH'S NEEDS ASSESSMENT SUMMARY REPORT - GEORGIA
H. HERBERT

Georgia H. Herbert, representing the Disability Services Board, presented the Local Needs Assessment Summary Report and the Commonwealth's Needs Assessment Summary Report to the Board of Supervisors.

UPDATE ON THE REMINGTON GROUP HOME - BRIAN DUNCAN

Brian Duncan, Executive Director of the Community Services Board, gave the Board of Supervisors an update on the opening of the Remington Group Home. Mr. Duncan informed the Board that the Home is scheduled to open the last week of August, pending hiring appropriate staff.

CONSENT AGENDA

Mr. Weeks moved to adopt the following Consent Agenda items. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W.
Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes of the July 7, 1998 Board of Supervisors Meeting

A Resolution to Accept Helm Drive and David Court in the Meadows of Remington Subdivision Into the Secondary Highway System

RESOLUTION

FAUQUIER COUNTY BOARD OF SUPERVISORS
SUBDIVISION STREET ACCEPTANCE FOR THE
MEADOWS OF REMINGTON SUBDIVISION, PHASE TWO,
SECTION ONE, LEE MAGISTERIAL DISTRICT

WHEREAS, certain streets, Helm Drive and David Court, titled "Meadows of Remington Subdivision, Phase Two, Section One, Fauquier County" dated July 8, 1998, and described on the Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerks Office of the Circuit Court of Fauquier County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the above streets serve a genuine public need; and

WHEREAS, Fauquier County and the Virginia Department of Transportation have entered into an agreement on February 7, 1995, for comprehensive stormwater detention, which applies to this request for addition; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 1998, That the Virginia Department of Transportation be, and is hereby, requested to take the necessary action to add the above described streets in the State Highway Secondary System for maintenance, as provided in Section 33.1-229, Code of Virginia, 1950, as amended, and the Virginia Department of Transportation's Subdivision Street Requirements; and, be it

RESOLVED FURTHER, That this Board does guarantee the Commonwealth of Virginia a minimum unrestricted right-of-way of fifty feet in the Meadows of Remington Subdivision, Phase Two, Section One, with necessary easements for cuts, fills, and drainage; recorded in Deed Book 672, Page 644, dated April 24, 1992; and, be it

RESOLVED FINALLY, That a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

A Resolution to Authorize the Virginia Department of Transportation to Install and Maintain Signs Alerting Motorists That Children May be at Play Nearby on Crenshaw Road in Rectortown

RESOLUTION

A RESOLUTION AUTHORIZING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INSTALL AND MAINTAIN SIGNS ALERTING MOTORISTS THAT CHILDREN MAY BE AT PLAY NEARBY

WHEREAS, Section 33.1-210.2 of the Code of Virginia, 1950, as amended, provides that the governing body of any county may, by resolution, request the Commissioner to install and maintain signs alerting motorists that children may be at play nearby; and

WHEREAS, a concerned citizen in Rectortown, located in Scott District, has requested that this Board authorize the installation and maintenance of "Watch For Children" signs along the residential section of Crenshaw Road that is located within a 35 mph speed zone; and

WHEREAS, Section 33.1-210.2 provides that the cost of installing said signs shall be paid out of the secondary system construction allocation and that maintenance of said signs shall be paid out of the secondary system maintenance allocation to the affected county; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 1998, That the Transportation Commissioner be directed to install and maintain a "Watch For Children" sign on Crenshaw Road in Rectortown within the 35 mph speed zone; and, be it

RESOLVED FURTHER, That the source of funding for the installation of the signs shall be the secondary system construction allocation to Fauquier County and maintenance of said signs shall be paid out of the secondary system maintenance allocation to Fauquier County.

A Resolution to Request the Virginia Department of Transportation to Complete a Project on Burwell Road (Route 604), Cedar Run District, that Shifted the Alignment of the Road and Replaced Culvert Pipes with a Pre-stressed Box Culvert

RESOLUTION

A RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO COMPLETE A PROJECT ON BURWELL ROAD (ROUTE 604), CEDAR RUN DISTRICT, THAT SHIFTED THE ALIGNMENT OF THE ROAD AND REPLACED CULVERT PIPES WITH A PRE-STRESSED BOX CULVERT

WHEREAS, the Virginia Department of Transportation has constructed Burwell Road (Route 604) on a new alignment under Project 0604-030-168, C501, B623; and

WHEREAS, the project sketch, as contained in the Board of Supervisors meeting package, defines adjustments required in the secondary system of state highways as a result of that construction; and

WHEREAS, the new road serves the same citizens as served by those portions of old road identified in the project sketch to be abandoned, which portions no longer serve a public need; and

WHEREAS, the portion of old road identified to be discontinued is deemed by the Virginia Department of Transportation to no longer provide a public convenience sufficient to warrant maintenance at public expense as a part of the secondary system of state highways; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 1998, That the Board requests the Virginia Department of Transportation to add Links A-B, Section 2 to the secondary system of state highways, pursuant to Section 33.1-229 of the Code of Virginia, 1950, as amended, for which sections this Board hereby guarantees the right of way to be clear and unrestricted, including any necessary easements for cuts, fills and drainage; and, be it

RESOLVED FURTHER, That the Board of Supervisors hereby abandons Links A-B, Section 1 from the secondary system of state highways, pursuant to Section 33.1-155 of the Code of Virginia, 1950, as amended; and, be it

RESOLVED FURTHER, That the Board of Supervisors concurs with the Commonwealth Transportation Board's discontinuance of Link A-B, Section 1 as part of the secondary system of state highways, pursuant to Section 33.1-150 of the Code of Virginia, 1950, as amended; and, be it

RESOLVED FURTHER, That the Board of Supervisors requests that Links A-B, Section 2 be accordingly renumbered as part of the secondary system of state highways; and, be it

RESOLVED FINALLY, That the Board of Supervisors hereby orders that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

A Resolution to Change the Meeting Time of the Fauquier County Board of Supervisors August 18, 1998 Regular Meeting

RESOLUTION

A RESOLUTION TO CHANGE THE MEETING TIME OF THE FAUQUIER COUNTY
BOARD OF SUPERVISORS' AUGUST 18, 1998 REGULAR MEETING

Be It Resolved by the Fauquier County Board of Supervisors this 21st day of July 1998, That the time for the August 18, 1998 regularly scheduled meeting of the Fauquier County Board of Supervisors be, and is hereby, scheduled to begin at 3:00 p.m. instead of the regularly scheduled 6:30 p.m.; and, be it

Resolved Further, That notice of this time change shall be posted at the Fauquier County Courthouse and the Warren Green Building, as well as advertised in the Fauquier Times Democrat and The Citizen.

A Resolution to Implement the Radio Communications Study Committee's Recommendation that the County Procure an 800 MHz Trunked Radio System

RESOLUTION

A RESOLUTION TO IMPLEMENT THE RADIO COMMUNICATION
STUDY COMMITTEE'S RECOMMENDATION THAT THE COUNTY
PROCURE AN 800MHZ TRUNKED RADIO SYSTEM.

WHEREAS, the Board of Supervisors is committed to correcting deficiencies in the current public radio system in a cost effective manner; and

WHEREAS, the Board of Supervisors appointed a Radio Communications Study Committee on September 16, 1997, and charged it with resolving the differences between the Radio Communications Study(s) and the Report of the Capital Improvements Advisory Committee and to make specific recommendations to the Board regarding the appropriate emergency communications system needed to ensure public safety agencies have effective and efficient radio communications throughout the County; and

WHEREAS, the Radio Communications Study Committee presented its recommendations to the Board at a work session on June 16, 1998; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 1998, That the Board does hereby accept the recommendations of the Radio Communications Study Committee to procure an 800MHZ Trunked radio system, that incorporated towns of Fauquier County be invited to participate to the extent they wish, and that excess low band radio equipment be transferred to the School Transportation Department and County Public Works for fleet communication; and, be it

RESOLVED FURTHER, That the Board of Supervisors directs the County Administrator to implement the Radio Communications Study Committee's recommendations commencing July 1, 1998, with the FY 1999 budget.

A RESOLUTION TO AUTHORIZE FAUQUIER COUNTY TO ENTER INTO
DISCUSSIONS AND NEGOTIATIONS WITH THE TOWN OF WARRENTON ON
CREATION OF A CONSOLIDATED ECONOMIC DEVELOPMENT PROGRAM

Mr. Rankin moved to adopt the following resolution. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION AUTHORIZING FAUQUIER COUNTY TO ENTER INTO DISCUSSIONS AND NEGOTIATIONS WITH THE TOWN OF WARRENTON ON CREATION OF A CONSOLIDATED ECONOMIC DEVELOPMENT PROGRAM

WHEREAS, both Fauquier County and the Town of Warrenton desire to increase the number of quality job opportunities for residents of the County and the Town; and

WHEREAS, retention of existing businesses and recruitment of targeted new industrial and commercial businesses will preserve and increase the existing tax base and should provide more income in new taxes than they cost in new government services; and

WHEREAS, the Town of Warrenton has an economic development program and a business park that have provided benefits to the Town of Warrenton and to Fauquier County through new job creation, retention of local businesses and additional tax base creation; and

WHEREAS, Fauquier County has begun an economic development effort through contract services to initiate a targeted economic development recruitment program; and

WHEREAS, Fauquier County and the Town of Warrenton individually fund a number of separate and concurrent organizations or activities that have economic development roles; and

WHEREAS, a recent economic development study of Fauquier County recommending consolidation of some of the current economic development programs has been endorsed by the Chamber of Commerce; and

WHEREAS, current economic development-related funding of the Town of Warrenton and of Fauquier County could provide for the start of a consolidated economic development program which would eliminate future duplication of efforts and staffing and would market Warrenton and all of Fauquier County with one agency; and

WHEREAS, consolidation could concentrate currently separate economic development fund allocations to achieve more targeted results, and could concentrate separate economic development-related programs that currently dilute the impact of the limited funds and resources available for economic development; and

WHEREAS, the Industrial Development Authority (IDA) is an existing authority with independent legal powers defined by the Code of Virginia to engage in many economic development activities, including the power to issue Industrial Revenue Bonds; and

WHEREAS, local oversight of the IDA is currently maintained by appointment of its members by the Fauquier County Board of Supervisors; and

WHEREAS, the ZHA Report recommended that the IDA would be a logical

organization under which to consolidate the economic development activities of Warrenton and Fauquier County; and

WHEREAS, the Fauquier County Board of Supervisors sees the potential benefits that could result from consolidating its economic development efforts with those of the Town of Warrenton; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 1998, That:

- A. the Fauquier County Board of Supervisors desires to enter into discussions and negotiations with the Town of Warrenton on the consolidation of its economic development efforts with those of Warrenton to create a single program that would be mutually beneficial;
- B. that discussions and negotiations will focus on designation of the IDA as the agency to provide consolidated economic development services for Warrenton and Fauquier County;
- C. that a formula will be established during negotiations on the sharing of annual financial support for the consolidated economic development program between Warrenton and Fauquier County;
- D. that a formula on the number of appointments to the Board of the IDA by Warrenton and Fauquier County will be established that reflects the formula for sharing of financial support to the consolidated economic development program; and
- E. that discussions will also identify permanent income streams from Warrenton and Fauquier County that could be used to provide sources of income for the consolidated economic development program and the tourism effort that would provide the program with more long-term financial predictability for use by the IDA in pursuing long-term economic development activities; and, be it

RESOLVED FURTHER, That the Fauquier County Board of Supervisors hereby directs County staff to undertake discussions and negotiations with the Town of Warrenton and other necessary parties and to develop, for approval by the Board of Supervisors and Town Council of Warrenton, a mutually feasible business plan for the organization, location, staffing, and first year's shared funding of a consolidated economic development program that can begin operations on or before July 1, 1999.

SUPERVISORS TIME

Mr. Green requested that the Warren County boundary adjustment be included on the August 18, 1998 Board of Supervisors agenda for discussion.

Mr. Rankin said that the closing of Mosby Drive and Chestnut Turn was open for negotiation and that the issue should be on the Board of Supervisors August 18, 1998 agenda for discussion.

Mr. Rankin requested that a proposed contribution of \$20,000 to the Oaks be on the Board of Supervisors August 18, 1998 agenda for consideration.

APPOINTMENT TO THE CAPITAL IMPROVEMENTS PROGRAM COMMITTEE

Mr. Burton moved to appoint Edwin Gulick to the Capital Improvements Program Committee to fill an unexpired term to December 31, 1999. Mr. Rankin

seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W.
Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

A RESOLUTION TO APPROPRIATE FUNDS FOR FY 1998

Mr. Weeks moved to adopt the following resolution. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W.
Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO APPROPRIATE FUNDS FOR FY 1998

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from an outside source such as State, Federal, grant or other local sources; and

WHEREAS, the Sheriff's Office has requested the appropriation of \$4,802 of which \$2,769 is from State reimbursement for prisoner extradition, \$1,134 is from Federal forfeiture proceeds, and \$899 is from Federal DEA overtime reimbursement; and

WHEREAS, the Finance Department has requested the appropriation of \$4,783 in revenue from tape conversions from other jurisdictions; and

WHEREAS, proper justification for these actions has been presented to the Finance Committee; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 1998, That the sum of \$9,585 be appropriated, and hereby approved for FY 1998 as follows:

FROM	TO
Source	Department
Code	Code
Amount	Amount
State Funding	Sheriff's Office

3-100-244100-130 \$2,769	4-100-31200-5550 \$2,769
Federal Funding 3-100-331000-040 \$1,134	Sheriff's Office 4-100-31230-8201 \$1,134
Federal Funding 3-100-331000-041 \$899	Sheriff's Office 4-100-31232-1201 \$899
Tape Conversion 3-302-134100-001 \$4,783	Technology CIP 4-302-94106-5540 \$4,783
Total \$9,585	Total \$9,585

WITHDRAWAL FROM THE ORLEAN/HUME AGRICULTURAL AND FORESTAL
DISTRICT - HENCHMAN'S LEA L.C.

A public hearing was held to consider a request by Henchman's Lea L.C. to withdraw approximately 48.2 acres from the Orlean/Hume Agricultural and Forestal District based on its Village zoning designation. This portion of the property was included in the renewal of the District by mistake. The property is located on the west side of Leeds Manor Road (Route 688) in the Village of Orlean, PIN #6935-38-9075-000, Marshall District. No one spoke. The public hearing was closed. Mr. Green moved to adopt the following ordinance. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W.
Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

ORDINANCE

AN ORDINANCE TO WITHDRAW APPROXIMATELY 48.2 ACRES
FROM THE ORLEAN/HUME AGRICULTURAL AND FORESTAL
DISTRICT WITHIN FAUQUIER COUNTY

BE IT ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 1998, That the request to withdraw 48.2 acres from the Orlean/Hume Agricultural and Forestal District, further described as PIN #6935-38-9075-000, made by Henchman's Lea L.C. be, and is hereby, approved.

WITHDRAWAL FROM THE SPRINGS VALLEY AGRICULTURAL AND FORESTAL
DISTRICT - SYLVIA A. HARRINGTON

A public hearing was held to consider a request from Sylvia A. Harrington to withdraw approximately 124.4 acres from the Springs Valley Agricultural and Forestal District due to medical reasons. The property is located on the south side of Springs Road (Route 802) southwest of the Town of Warrenton, PIN #6973-44-2461-000, Marshall District. Elizabeth Bullard and Kevin Maloney spoke in

opposition of the withdrawal. No one else spoke. The public hearing was closed. Mr. Green moved to adopt the following ordinance. Mr. Rankin seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

ORDINANCE

AN ORDINANCE TO WITHDRAW APPROXIMATELY 124.4 ACRES
FROM THE SPRINGS VALLEY AGRICULTURAL AND FORESTAL
DISTRICT WITHIN FAUQUIER COUNTY

BE IT ORDAINED by the Fauquier County Board of Supervisors this 21st day of July 1998, That the request to withdraw 124.4 acres from the Springs Valley Agricultural and Forestal District, further described as PIN #6973-44-2461-000, made by Sylvia A. Harrington be, and is hereby, approved.

SPECIAL EXCEPTION - JESSE, JR. AND BEVERLY JONES

A public hearing was held to consider a request for special exception approval under Category 3-309.16, Spectator and Non-Spectator Field Events and Activities (Class C), of the Fauquier County Zoning Ordinance to amend the acreage of an approved special exception for family reunions, wedding receptions, and picnics. The amendment would reduce the site acreage from 38.166 to 32.4460. The property is located on Catlett Road (Route 28), Part of PIN #7900-02-6955-000, Cedar Run District. D. Thomas Basham, representing Mr. and Mrs. Jones spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Rankin seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION AMENDMENT
REQUEST #SEA98-CR-01
JONES RETREAT CENTER

WHEREAS, the Applicants and Property Owners, Jesse Jr. and Beverly Jones, have filed an application for a special exception amendment to reduce the acreage of an approved special exception to allow family reunions, wedding receptions, and picnics from 38.166 acres to 32.4460 acres pursuant to Section 3-309.16, Spectator and Non-Spectator Field Events and Activities (Class C), of the Fauquier County Zoning Ordinance; and

WHEREAS, the Special Exception Amendment Application of Jesse Jr. and Beverly Jones, Applicants and Property Owners, has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence, both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as

set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Articles 5-901 and 5-916 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing June 25, 1998, on this special exception amendment request and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 1998, That Special Exception Amendment #SEA98-CR-01, Jesse Jr. and Beverly Jones, Property Owners, (PIN 7900-02-6955-000), be, and is hereby, approved subject to the following findings and conditions:

FINDING:

The Board of Supervisors finds that even though the Applicants do not have 50 acres and that one existing structure is less than 100 feet from a property line these facts will not negatively impact any general or specific standard contained in Article 5 of the Zoning Ordinance for this use and will serve the purposes of promoting health, safety, and welfare to an equivalent degree.

CONDITIONS:

1. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m.
2. All necessary Health Department permits shall be secured.
3. The number of guests shall be limited to 300.
4. A site plan shall be approved prior to holding any Class C events.
5. The driveway shall be a minimum of eighteen (18) feet in width.
6. This approval shall be for the 32.446 acres described as part of PIN #7900-02-6955-000 shown on the special exception plat prepared by D. Thomas Basham PE, LS, PC dated June 9, 1998.
7. The Applicants shall construct an entrance with associated road improvements to meet VDOT requirements.
8. The Applicants shall reserve 100 feet of right-of-way, measured from centerline, for future widening of Route 28.

SPECIAL EXCEPTION - LYNN A. PIROZZOLI/BLACK HORSE INN

A public hearing was held to consider a request for special exception approval from Lynn A. Pirozzoli under Category 3-307, Adaptive Uses, and Category 3-309.16, Spectator and Non-Spectator Field Events and Activities (Class C), of the Fauquier County Zoning Ordinance to allow for additional rooms at an approved semi-public restaurant and inn (bed and breakfast), to hold outdoor receptions, and to construct a covered deck. The property contains 20.3535 acres and is located on the north side of Meetze Road (Route 643), south of its intersection with Old Auburn Road (Route 670), PIN #6993-15-3605-000, Center District. Lynn Pirozzoli spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Rankin moved to adopt the following resolution. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION
REQUEST #SE98-C-05
BLACK HORSE INN

WHEREAS, the Applicant and Property Owner, Lynn A. Pirozzoli, has filed an application for a special exception to allow for additional rooms at an approved Semi-Public Restaurant and Inn, to hold outdoor receptions, and to construct a covered deck at the subject property pursuant to Sections 3-307, Adaptive Uses, and 3-309.16, Spectator and Non-Spectator Field Events and Activities (Class C), of the Fauquier County Zoning Ordinance; and

WHEREAS, the Special Exception Application of Lynn A. Pirozzoli, Property Owner and Applicant, has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence, both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Articles 5-701, 5-702, 5-901 and 5-916 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing June 25, 1998 on this special exception amendment request and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of July 1998, that Special Exception #SE98-C-05, Lynn A. Pirozzoli Property Owner (PIN 6993-15-3605-000), be, and is hereby, approved subject to the following finding and conditions:

FINDING:

The Board of Supervisors finds that the fact that the site has 20.3535 acres rather than 50 acres does not negatively impact any other general or specific standard contained in Article 5 for this use and will serve the purposes of promoting public health, safety, and welfare to an equivalent degree.

CONDITIONS:

1. The Class C uses to which the property may be put under this special exception shall be limited to the following: family reunions, wedding receptions and similar receptions, picnics and barbecues, and corporate meetings and retreats.
2. No fireworks displays and no hot air balloon events shall be held on the premises.
3. The maximum number of Class C events permitted in any calendar week shall not exceed two (2) in excess of 50 persons and the total number of attendees in any week shall not exceed 200.
4. The hours of operation for all Class C events shall be limited to the hours of 9:00 a.m. to 10:00 p.m. weekdays and 9:00 a.m. to 11:00 p.m. weekends.
5. Events with amplified music will be conducted only between the hours of 12:00 noon and 10:00 p.m.
6. Fire extinguishers meeting state and federal standards shall be provided at all event sites.
7. All grass areas used for parking shall be mowed and maintained so as to minimize the risk of vehicle and field fires.

8. All on-site parking, lighting, entrances, and other physical improvements shall comply with the County's site plan regulations.
9. All entrances shall meet VDOT requirements.
10. All uses under this special exception shall be conducted so as to meet all noise performance standards enumerated in Article IX of the County Zoning Ordinance. In addition, the events shall be conducted in such a manner that noise emissions will not exceed 50% of the decibel limits permitted by the County's noise regulations.
11. All lighting shall be shielded, directed downward and inward, so as to eliminate glare from all adjacent properties.
12. The special exception for Class C events shall be limited to a ten (10) year period from the date of approval by the Board of Supervisors.
13. No more than nine (9) guest rooms shall be used for the bed and breakfast operation.
14. There shall be a maximum of 20 seats in the restaurant.
15. There shall be no exterior changes to the building housing the Semi-Public Restaurant and Inn (bed and breakfast) other than those made for maintenance purposes.

SPECIAL EXCEPTION - MELVIN K. AND MYRTLEE L. HELMICK

A public hearing was held to consider a request for special exception approval from Melvin K. and Myrtee L. Helmick under Section 3-320.7 of the Fauquier County Zoning Ordinance to allow an alternative wastewater disposal system (re-circulating sand filtration) to serve a proposed individual residence on a 1.0834 acre parcel. The property is located on Stuart Circle and Baldwin Ridge Road and is Lot 37, Marstella Estates, Section I in the New Baltimore Service District, PIN #7905-22-5383-000, Scott District. Barbara White spoke in opposition to the request. No one else spoke. The public hearing was closed. Mr. Weeks moved to adopt the following resolution. Mr. Rankin seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. James A. Rankin
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION
REQUEST #SE98-S-07
MELVIN HELMICK-ALTERNATIVE WASTEWATER SYSTEM

WHEREAS, the Applicants, Melvin K. and Myrtee Helmick, are requesting a special exception to allow an alternative wastewater system, re-circulating sand filter, to serve a proposed individual residence pursuant to Section 3-320.7 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Special Exception Application of Melvin K. and Myrtee Helmick has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence, both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Article 5-2002 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on June 25, 1998, on this special exception request and recommended approval; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 21st day of July 1998, That Special Exception #SE98-S-07, Melvin Helmick-Alternative Wastewater System (PIN 7905-22-5383-000), be, and is hereby, approved subject to the following conditions:

1. This approval shall only be for the location and operation of a re-circulating sand filter and drip irrigation system for a proposed residence on the 1.0834 acre parcel, Lot 37.
2. The proposed drip area shall be identified and marked prior to any construction or land disturbance on the lot. In this marked off area no disturbance shall occur which would jeopardize this drip disposal area.
3. The systems shall remain in conformance with all County and State Department of Health requirements at all times.
4. Health Department guidelines for the maintenance of the systems and the frequency of system monitoring, but not less than annually, shall be followed.
5. A maintenance contract shall be entered into with a reputable agency to carry out the schedule for the necessary system maintenance.
6. The deed for this property shall indicate that the system exists on the site and note the conditions of special exception approval.
7. The Applicants shall record a plat with a notice about the alternative wastewater system and the special exception conditions.
8. No building permit shall be issued for this property until the Health Department has issued a permit for a re-circulating sand filter wastewater disposal system for this location.
9. The sand filter structure shall be effectively landscaped to limit view from adjacent residential properties.

REZONING REQUEST - FAUQUIER LAKES LIMITED PARTNERSHIP/WATERFIELD

A public hearing was held to consider a request from Fauquier Lakes Limited Partnership/Waterfield to rezone 440 acres from Residential-1 (R-1) to Planned Residential District (PRD). The property is currently in agricultural use or vacant and is designated for PRD use in the Comprehensive Plan. The property is located on the southwest side of Lake Drive (Route 1306), east of Riley Road (Route 676), and southwest of Shepherdstown Road (Route 793), in the New Baltimore Service District, PIN #7915-06-7362-000, #7905-93-5747-000, #7915-34-4195-000, #7915-35-2459-000, and #7915-16-2290-000, Scott District. Ben Jones, representing Fauquier Lakes Limited Partnership, John Gendreau, representing the Northern Virginia Building Industry Association, Steve Potucek and Elliot Dubin, representing the National Association of Homebuilders, spoke in favor of the request. Dennis McMullen presented a petition of over 1,000 signatures opposing this development. Harold Spencer, Chuck Medwitz, Mike Siegel, Nancy Premen, Everett Garber, Gene Lofdahl, Desiree Kinney, Kitty Smith, Jim Stone, Michael Strojni, Kathleen King, Tom Grady, Mary Morran, Christopher Miller, Craig Anderson, Bob Flournoy, Chris Klicka, Maria Turchi, Kathie Wilson, Mara Seaforest Charvonja, George Gilmer, Scott Seegers, Bruce Patterson, Patricia Bowman, Diane Cultrera, Bruce Hoffer, Maxwell Bowen, Frank Ott, Craig Hill, Betsy Hostrop, Joe Winkelmann, Harold Dutton, James Catter, David McLaughlin, Bill Downey, Barbara Wilson, Leocade Leighton, Barbara Severin, and Cliff Mashburn spoke in opposition of the request. The public hearing was closed.

Mr. Weeks moved to deny the request. Mr. Green seconded.

Mr. Burton then moved to amend the pending motion to table the decision to the August 18, 1998 meeting. Mr. Rankin seconded.

Mr. Weeks then moved to amend the motion changing the date of tabling from August 18, 1998 to November 17, 1998. Mr. Green seconded, and the vote for the motion was 2 to 3 as follows:

Ayes: Mr. Larry L. Weeks; Mr. James R. Green, Jr.
Nays: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr. James A. Rankin
Absent During Vote: None
Abstention: None

The Board of Supervisors then voted on Mr. Burton's motion to amend the pending motion to table the decision until the August 18, 1998 meeting. The vote for the motion to amend the pending motion was 3 to 2 as follows:

Ayes: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr. James A. Rankin
Nays: Mr. Larry L. Weeks; Mr. James R. Green, Jr.
Absent During Vote: None
Abstention: None

The Board of Supervisors then voted on the motion to table the decision until the August 18, 1998 meeting. The vote for the motion to table the decision until the August 18, 1998 meeting was 3 to 2 as follows:

Ayes: Mr. David C. Mangum; Mr. Wilbur W. Burton; Mr. James A. Rankin
Nays: Mr. Larry L. Weeks; Mr. James R. Green, Jr.
Absent During Vote: None
Abstention: None

With no further business, the meeting was adjourned.